

J. Hammond



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January 6, 2004

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

TRIAL COURT FACILITIES ACT OF 2002: QUARTERLY UPDATE

On November 12, 2002, your Board instructed my office to report on the implementation of SB 1732 and to provide quarterly updates thereafter. SB 1732 is the legislation which requires the transfer of county courthouses to the State. This is the fourth quarterly report on the subject and covers October through December 2003 activities.

Implementation of SB 1732

The County received a draft of the Superior Court of California; Seismic Assessment Program Summary Report dated November 2003. The Administrative Office of the Courts (AOC) allowed counties a 30-day window to respond to the draft report. Public Works reviewed the draft report and in conjunction with my office, a response was submitted to the AOC on December 19, 2003. The response stated that the draft preliminary seismic evaluations were:

- developed with heavy reliance on the engineering judgment of the AOC's structural engineering team without an opportunity for the County to represent our point of view or discuss our engineering opinions;
- the 30-day window did not allow sufficient time for the review of drawings, calculations, or to conduct site visits to assist with developing informed engineering opinions on the evaluations; and
- many of the conclusions in the draft reports were based on partial or incomplete information;

- the report concluded that of the County's 59 court facilities: 12 were exempt for various reasons specified in the statute. 5 were transferable and 42 were unsuitable for transfer without further evaluation and possible retrofit.

Based on DPW's limited review, they have identified issues on approximately half of the buildings that should be either evaluated in more detail or discussed directly with the engineers who conducted the evaluations. DPW believes that if a process to resolve these identified issues is undertaken with the AOC's consultants, many of the 42 buildings rated are expected to have their ratings changed and, therefore, become suitable for transfer.

Further, other counties have cited similar issues as outlined above regarding their respective seismic evaluation report. The AOC has delayed the release of the reports from the previously announced date of December 29, 2003 by approximately 30 days.

At the request of San Diego County, staff from all Southern California counties were invited to a meeting to discuss their efforts to implement SB 1732. The meeting was held on December 5, 2003 at the Kenneth Hahn Hall of Administration and discussion items included: the seismic assessment and local responses; AOC's favorable response to the revised Maintenance Payment forms drafted by the counties, and status of negotiations with pilot counties. There was a consensus that this type of meeting was helpful and should be continued to be held on a quarterly basis. A follow up meeting was scheduled for March 5, 2004.

County staff continues to participate in the weekly conference calls with the California State Association of Counties (CSAC) and other county members.

We will report back with the next quarterly report in April 2004.

DEJ:JSE
DJT:DKM:mc

c: Executive Officer, Board of Supervisors
Auditor-Controller
County Counsel
Internal Service Department
Department of Public Works